

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF OREGON
3

4 VOLTAGE PICTURES, LLC, a)
California Limited Liability)
5 Company, and DALLAS BUYERS)
6 CLUB, LLC, a Texas Limited)
Liability Company,)

7 Plaintiffs,)

8 vs.)

9 Doe-76.115.109.21,)

10 Defendant.)
11

Case No.
3:14-cv-01875-AC

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13 DEPOSITION OF RYAN JOSEPH BLAKE
14

15 The deposition of RYAN JOSEPH BLAKE was taken
16 before LeAnne Law, Certified Shorthand Reporter, on
17 Friday, February 13, 2015, at 3:57 p.m., at Crowell
18 Law, 943 Liberty Street S.E., in Salem, Oregon.
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Corvallis, Oregon 541-760-2900

RYAN JOSEPH BLAKE

14

1 A. Right.

2 Q. Have you ever used BitTorrent?

3 A. No.

4 Q. You've never BitTorrented -- or never used
5 BitTorrent to obtain any files?

6 A. It's not illegal.

7 Q. I'm asking you if you've ever used
8 BitTorrent to obtain files, and your answer earlier
9 was no, and I want to clarify. That is your position,
10 you've never used BitTorrent?

11 A. I have used BitTorrent, yes.

12 Q. Okay. Please describe your use of
13 BitTorrent.

14 A. I didn't download "Dallas Buyers Club."

15 Q. Please describe your use of BitTorrent.

16 A. I did not download "Dallas Buyers Club."

17 Q. Have you ever downloaded any movies with
18 BitTorrent?

19 A. I did not download "Dallas Buyers Club."

20 Q. How many Wi-Fi portals do you have in your
21 unit?

22 A. What do you mean?

23 Q. Do you have Wi-Fi access where you live?

24 A. Well, yeah. We have our singular router.

25 Q. Is it the router provided by Comcast?

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1 A. Yes.

2 Q. So you have the Comcast installed Wi-Fi
3 unit?

4 A. Yes.

5 Q. What is your password?

6 A. I have not personally set it. It's the
7 factory one. I don't know.

8 Q. So the password on your Wi-Fi access that
9 Comcast provided to you is the factory-set password
10 set by Comcast?

11 A. As far as I know.

12 Q. Have you ever changed it?

13 A. Not me personally, no.

14 Q. Do you know if anybody has ever changed it?

15 A. I do not know.

16 Q. Who would have authority to change it?

17 A. My roommate.

18 Q. Have you asked him if he has changed it?

19 A. No.

20 Q. Have you ever had to update your password on
21 any of your computers that you used to access your
22 Wi-Fi?

23 A. Oh, all the time.

24 Q. What do you mean? How do you update your
25 passwords?

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1 A. I have a personal tablet.

2 Q. Describe that, please.

3 A. It's just a basic 8-inch screen Samsung
4 tablet.

5 Q. What model, please?

6 A. It's the Tab 3.

7 Q. In the last year have you had a laptop or
8 personal computer that you've used in your apartment?

9 A. Well, yeah.

10 Q. Please describe those laptops or computers,
11 please.

12 A. I just did.

13 Q. You've identified a cell phone, a PS3, and a
14 Samsung Tab 3. Have you ever had any other laptops or
15 computers that you have used in your apartment to
16 access your Wi-Fi?

17 A. No.

18 Q. Does your roommate have a laptop or computer
19 that he uses to access the Internet?

20 A. I do not know.

21 Q. You have never seen him with a laptop or a
22 computer?

23 A. He's had things in the past, but he's
24 returned them, so I really do not know what he does or
25 does not own.

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1 Q. In the last year has he owned a laptop or
2 computer?

3 A. I do not know.

4 Q. Please describe your roommate's use of
5 BitTorrent in the last year.

6 A. I don't know.

7 Q. Do you know anything at all about your
8 roommate's use of BitTorrent in the last year?

9 A. No.

10 Q. Have you ever received any other notices
11 from Comcast related to downloading material or
12 copyright violations?

13 A. No.

14 Q. What action, if any, did you take after you
15 received the initial letter from Comcast which was
16 dated December 1, 2014?

17 A. Honestly I don't think I took any.

18 Q. Did you talk to your roommate about it?

19 A. Yes. Oh, yeah. I didn't take a legal
20 action as in talking to a lawyer, no.

21 Q. Did you change anything about the way you
22 use your Internet?

23 A. No.

24 Q. Did you ask your roommate if he used
25 BitTorrent?

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RYAN JOSEPH BLAKE

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1 that's randomly generated with alphanumeric codes.

2 Correct?

3 A. Yeah.

4 Q. So if your Wi-Fi had the Comcast preset
5 password, it was not a simple password. Correct?

6 A. If it is that, yes.

7 Q. So what basis do you claim you had a simple
8 password? On what basis do you claim you had a simple
9 password?

10 A. Again, that is a jointly wrote email, and so
11 those are not only my words but my roommate's words as
12 well. And like -- and before when we were speaking
13 about the whole password situation, I have no
14 knowledge of it being changed or when it was changed.

15 Q. Did you ever read online that sometimes
16 Wi-Fi systems are hacked and that's how people get
17 identified as associated with BitTorrent downloads?

18 A. Did I read online -- did I read that online?

19 Q. Correct.

20 A. Say that -- say that again.

21 Q. Have you ever read anywhere that sometimes
22 Wi-Fi units are hacked through simple passwords
23 resulting in their owners being accused of downloading
24 files by BitTorrent?

25 A. Oh, yeah.

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1 A. On my behalf?

2 Q. Correct. You lied in your email to me.

3 Correct?

4 A. No.

5 Q. So your position is that's the truth?

6 A. Yeah.

7 Q. So now you're saying that you had a simple
8 password under Wi-Fi, anybody could have hacked it,
9 and that's your excuse for the content being
10 associated with your Internet. Correct?

11 A. Yes.

12 Q. So you claim that you're not involved with
13 any of the BitTorrent activity associated with your
14 Internet address because you had a simple password on
15 your Wi-Fi and somebody could have hacked it.

16 Correct?

17 A. Correct. We live in apartments. We have
18 150 people within the radius of our Wi-Fi signal.

19 Q. And so based on the fact that you had a
20 simple Wi-Fi password and anybody could have hacked
21 it, you deny any liability in this case. Correct?

22 A. Correct.

23 Q. Do you have any other basis for denying
24 liability in this case, or is your position that your
25 Wi-Fi was hacked and you're going to stick to that?

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1 A. No.

2 Q. Have you ever watched "Dallas Buyers Club"?

3 A. No.

4 Q. Have you ever watched "Palo Alto"?

5 A. No.

6 Q. Have you ever watched "A Most Wanted Man"?

7 A. No.

8 Q. Have you ever watched "The Judge"?

9 A. No.

10 Q. Have you ever watched pornography?

11 A. Sure.

12 Q. Have you ever downloaded pornography?

13 A. No. Well, no.

14 Q. There are a large number of adult content or
15 pornography titles associated with your IP address.
16 Do you have any explanation for that?

17 A. I do not.

18 Q. To your knowledge has your roommate ever
19 downloaded any pornography?

20 A. I don't know.

21 Q. To your knowledge are any of these titles
22 associated with your roommate's downloading of
23 BitTorrent files?

24 A. Do not know.

25 Q. Have you ever asked your roommate about

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1 STATE OF OREGON)
) Ss. C E R T I F I C A T E
 2 County of Douglas)

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4 I, LEANNE LAW, a Certified Shorthand
 5 Reporter for the State of Oregon, certify that the
 6 witness was duly sworn and appeared before me at said
 7 time and place set forth in the caption hereof; that I
 8 reported in computer-aided stenotype all testimony and
 9 other proceedings had in the foregoing matter; that my
 10 notes were reduced to a computer-aided transcript and
 11 that the foregoing transcript consisting of 50 pages
 12 is a true and correct transcript of said proceedings
 13 to the best of my ability.

14 If any of the parties or the witness
 15 requested review of the transcript at the time of the
 16 proceedings, correction pages are included.

17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand this 24th day of February, 2015, in the City of
 19 Roseburg, County of Douglas, State of Oregon.

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 LeAnne Law, CSR
 CSR No. 94-0285
 Expiration Date: 6/30/2017

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